Montgomery

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MONTGOMERY, ALABAMA, TUESDAY, FEBRUARY 26, 1907,---TWELVE PAGES

COTTON MILL EXEMPTION BILL DEFEATED IN SENATE

Hayes Measure is Turned Down, 15 to 14.

DETERMINED EFFORT TO FORCE VOTE ON QUESTION

Action of Upper House Surprise to Its Supporters.

Clever Trap Almost Kills Proposed Enactment-Judicial Legislation Occupies Attention of Senators at Afternoon Session.

The cotton mill exemption bill was defeated in the Senate yesterday after-The usual attempt at reconsidthe Senate vesterday afternoon that

unexpected. The friends of the measteen for it was a surprising disappointment to the members. The Senate had the leading cotton mill men of the State had been in the city to help the

There was some basis for the hope that the bill would pass. Introduced originally by Senator Hayes, the bill had been adversed by the Senate Committee on Mines and Manufacturing. Senator Hayes had made the fight and made it successfully to get the bill from the adverse calendar. The Senute, by a majority of six votes, had called the bill from the adverse calendar. This circumstance alone gave the friends of the measure the confidence It would be passed by the Senate. Even the opponents of the measure conceded it would pass, whatever might be its fate in the House. It was known the measure had the endorsement of the administration and the administration

Trap Laid for Bill.

the session yesterday morning. It was read and the Senate learned from the reading the bill provided that all new notton mills and all new additions to cotton mills costing more than \$50,000 to be hereafter built, should be exempt from taxation for a period of ten years. The bill was immediately ordered to a third reading, and it was seen it was being pushed. It was further seen before it ked been beaten, that the de-termination had been reached to put the measure through under whip and

A skilful parliamentary trap was laid for the bill by its enemies, and the trap came near killing the bill. Per-haps if the President of the Senate had been unfriendly to it, the trap would have been successful. At any rate, the of Lieutenant-Governor Gray saved the measure.
It happened in this way:

Barbour, whom the friends of the measure might have known was its enemy, proposed an amendment extending the of the exemption from ten to twenty years for cotton mills.
Senator Thomas of Barbour said im-

mediately move the indefinite postponement

of the amendment."

This was carried by an overwhelming vote. The bill was then put upon its passage.

on its passage.
"I rise to a point of order," said Senator Thomas? "The amendment was indefinitely postponed, and the indefinite postponement of an amendment carries with it the indefinite postponement of the bill as well. I refer you to the rules and to general pariamentary usage on the point which

Appeals from Chair's Decision, "The Chair holds the point of order is not well taken, the question is on the passage of the bill," said President

You will pardon me, Mr. President," said Senator Thomas courteously, "but shall appeal from the decision of

The vote was then taken on the question as to whether the Chair should be sustained. Senator Gunn asked leave to explain his vote on the ques-tion. He expressed the highest esteem for the Chair and announced that with against sustaining the Chair. He took the position that under the rules of the Senate and under general public. regret, his vote would be cast

Senate and under general parliamen-tary usage, the indefinite postponement an amendment carries with it the indefinite postponement of the pending But President Gray was sustained in his ruling by a vote of 15 to 12.
He immediately ordered the bill to put upon its passage. At the same time, Senator McWhorter and three four other senators were on their feet

clamoring for recognition. While they were calling "Mr. President, Mr. Presithe roll call on the bill was ordered. President Gray rapped for or-der, and announced that as the roll call had been ordered, any speeches for or against the bill would be denied hear-

It was at first thought a tie vote have to cast the deciding vote. General W. W. Brandon, who was assist-ing the secretary, asked for the verifiit. His original record of the vote proved to be correct. The vote on the passage of the bill follows: of the vote as he had recorded

Ayes Davis, Doster, Gardner, Gunn, Hamner, Hayes, Heacock, Hinson, Lusk, Miller, Overton, Reynolds, Spragins,

Nays-Barbour, Glenn, Horton, Jones, King, Lowe, Merritt, Moody, McWhor-

EFFIDAVIT

Wife's Statement Identified by Her.

OF HIS CRUELTIES

Dr. Flint Appears and Causes a

Evelyn Has Better Day on Stand, Keeping Her Wits About Her While

New York, Feb. 25.—Except for one brief moment, Mrs. Evelyn Nesbit Thaw had a decidedly easy day of it today during the continuation of her cross-examination by District Attorney

When adjournment was taken, the ically concluded with the witness Mrs. Thaw will be temporarily excused tomorrow morning to enable Mr. Je-rome to introduce Abraham Hummel the jury this afternoon by reading cer-

had not. She also denied ever having signed such an affidavit, admitting that she had, however, signed some papers for White in the Madison Square, of

whose nature she was not aware.

It was during the morning session that Mr. Jerome played his strongest card of the day. Mrs. Thaw had denied most positively that she had ever been to see a Dr. Carlton Flint with Jack

The doctor entered from the witness room and was escorted to within a few

feet of the witness' chair.
"Did you ever see that man before?" Mr. Jerome asked Mrs. Thaw.

this incident and when it was over he turned to the newspaper men sitting nearest him and whispered:

seemed thoroughly at home in the witness chair, and had all her wits about her and did not fare at all badly at the hands of the District Attorney, who was more gentle in handling the wit-

ator Heacock, in a way, appealed to senatorial courtesy in moving the in-definite postponement of the Sanford received a letter of credit from Standefinite postponement of the Sanford bill, and his fellow Senators adopted his motion.

ford White while touring in Europe and had turned the letter over to Thaw. Today, she explained that Thaw took The prayer in the Senate was offered by Rev. Mr. Malone. There were thirty-two Senators present.

was concerning the cablegrams which Thaw is said to have sent to Stanford White from London. It appeared Thursday that these cablegrams were requests of White to use his influence in keeping Mrs. Nesbitt from "raising" in keeping Mrs. Nesbitt from "raising a row" and interfering with Evelyn continuing in company with Thaw. Mr Jerome took up the subject again to day, but his questions elicited the information that the letters did not con-cern Mrs. Thaw at all, but related to a man-a secretary of the American em-A Governor's message notified the Senate of the selection of Hon. J. H. Johnson as a member of the Board of Trustees of the University of Alabana. The message notified the Senate that a certificate of Mr. Johnson's selection had been lost in the Governor's lection had been lost in the Governor's office after it had been filed by the Superintendent of Education. This the property of the American embassy—in London, whom Mrs. Thaw said had "sneaked up to mama's room had also insulted her, and that Thaw had gone in search of him but failed to properly the said that the said had gone in search of him but failed to properly the said had gone in search of him but failed to properly the said had gone in search of him but failed to a man—a secretary of the American embassy—in London, whom Mrs. Thaw said had "sneaked up to mama's room had also insulted her, and that Thaw had gone in search of him but failed to a man—a secretary of the American embassy—in London, whom Mrs. Thaw said had "sneaked up to mama's room had gone in search of him but failed to a man—a secretary of the American embassy—in London, whom Mrs. Thaw said had "sneaked up to mama's room had gone in search of him but failed to a man—a secretary of the American embassy—in London, whom Mrs. Thaw said had "sneaked up to mama's room had gone in search of him but failed to a man—a secretary of the American embassy—in London, whom Mrs. Thaw said had "sneaked up to mama's room had gone in search of him but failed to a man—a secretary of the American embassy—in London, whom Mrs. Thaw said had "sneaked up to mama's room had gone in search of him but failed to a man—a secretary of the American embassy—in London, whom Mrs. Thaw said had "sneaked up to mama's room had gone in search of him but failed to a man—a secretary of the American embassy—in London, whom Mrs. Thaw said had "sneaked up to mama's room had gone in search of him but failed to a man—a secretary of the American embassy—in London, whom Mrs. Thaw said had "sneaked up to mama's room had gone in search o

RACE FOR JUDGESHIP

Warren Reese Favors Pleasants, and

Anniston Delegation Wants Pelham—Oscar Hundley Turned Down for Good.

cial.) Congressman Clayton's bill pro-viding for an additional Federal Alabama is in the bands of

Senator Reynolds offered an amendment making the provisions of the resolution apply to traction and portable engines. He explained that in his county there were a number of traction engines, used by saw mills which made public roads unsafe for nervous horses. The amendment was adopted.

Senator Spragins offered in amendment, which declared that the man in the automobile should be meld responsible if it should be meld clear that the fautomobile should have discovered the frigatened horse in the road, but did not. The amendment was adopted.

The Senate then took up the cotton mill exemption bill, and after the final

Sylacanga Loses Fight,
When the afternoon session began,
Senator Reynolds moved that House
bill No. 224, the solvent credits bill,
be recommitted to the Judiciary Committee. The motion of Senator Reynolds was adopted.
The joint resolution amending the original recess resolution so that the recess would begin March 4 instead of March 2, was brought up. The amendment carried by the resolution went into immediate effect.
The bill for the branch court of Taltable account of March account of Taltable account of March account of Taltable account of March account of Taltable account of Taltable account of March account of March account of the Senate
will not make any report at this sestthe Judiciary Committee of the Senate
will not make any report at this sestable account of the Merchan account of the March account of the Merchan account of the March account of the Merchan account of the March account of the March account of the March account of t

A. J. Stofer.

GOVERNOR COMER SIGNS BILLS. JOE BAILEY

The Governor yesterday signed he following bills:

To require the probate judge to hold regular terms of the probate court of St. Clair county at Pell

To provide for dividing St. Clair • County into two judicial divisions. • one at Pell City and the other at •

♦ To create the Morgan County ♦ law and equity court, and to define its powers.

♦ To repeal the act providing for ♦
♦ the sale of liquor in Mooresville ♦ beat, Limestone County.

To create the office of associate judge of the City Court of Gads den.

To provide for the sale of liquor •
in Faunsdale precinct, Marengo •
County, by dispensary at Fauns •
dale.

tate.

To regulate the compensation of
persons serving on juries in Mobile County.

To provide for the election of a
solicitor of Mobile County in
table to be a compensation of the county of t

WEATHER FORECAST

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Washington, Feb. 25 .- For Alabama: Unsettled weather, possibly rain, Tues-day and Wednesday; fresh east winds?

There were sixty-seven hours of actual road work and elapsed time of seventy-six hours and ten minutes.

The route followed was Chicago to Milwaukee, and as the roads were far from good the test is regarded as most successful. Moreover, the machine used was an old one, make of 1904, and it is claimed it had traveled 40,000 miles before beginning the test.

before beginning the test.

At the conclusion of the regular test the car continued and will be kept going until the motor stons

TOWN IS CAPTURED

NICARAGUAN FORCES CARRY SAN

City Defended By Hondurean Minister of War and Strong Army is Taken by the Apposing Bat-talions.

Managua, Nicaragua, Feb. 25.-San Marcos Decilon, a well-fortified Honduran town, which was defended by

IN PITTSBURG

SIX STORY OFFICE BUILDING

of Most Spectacular, Troubleso and Costly Blazes Which Down Town District Has Expe-rienced in Years.

Pittsburg, Feb. 25 .- One of the most spectacular, troublesome and costly fires which the Pittsburg downtown district has experienced in several years

was more gentle in handling the witness.

Instead of further hurting the cause of her husband, Mrs. Thaw managed to make two decided gains. When court adjourned last Thursday it appears to the six-story structure at 819 Liberty Avenue, occupied by the Derby Desk Company, and the building at No.
817 Liberty Avenue, occupied by the measures in Congress concerning that road and to explain his relation to any measure now pending.

three upper floors of the building at Not 813 Liberty Avenue, occupied by Bondsman of Gayno: Does Not Have to the Grier Bush Company, wholesale notions and toys, and threatened the Second National Bank building. When the fire was believed to be under con- surety for ohn F. Gaynor, whose extrol flames were seen issuing from the tradition from Canada on account of top floor of the Seventh Avenue Hotel.

There was a wild scramble of the guests, with the alleged frauds in the pub-

the fire is believed to have been crossed

They Will Appear in United States
Court Against the Honduras
Lottery Company — Com-

moned by the government to testify in lottery trials here, have arrived in Boston. They are James Pike and Vic-tor Steward, men employed in the printing plant of the Honduras people at Mobile, W. F. Pickens an employe of the Southern Express Company, who received the merchandise at the railroad station, Frank Conway, chief deputy collector of customs and S. Y. Locke cashler of the Mobile custom house who are alleged to have witnessed the taking of boxes containing lottery cir-

Armbrecht Did Not Go.

ladega County at Sylacauga, caused the first ripple of interest in the Senate proceedings at the afternoon session.

A strong fight has conformal.

EXONERATED

Texas Senate Finds Him Guiltess.

ACRIMONIOUS

Effort to Disbar Waters-Pierce

Adherents of Solon Carry Through Res-

Austin, Texas, Feb. 25.—By a vote of 15 to 11 the Texas Senate today discharged the investigation committee which has been in session several weeks looking into charges against United States Senator Joseph W. Bai-

ing offered a resolution instructing the committee not to bring in a report at this time but to send a sub-commit

Senator Bailey be fully endorsed. Af-ter a rather heated debate the sub-stitute resolution was passed by a vote

of 15 to 11.

Mr. Bailey's friends contended that every member of the Legislature well as the general puublic was fully acquainted with all details of the evidence before the committee by reason

debate was when Senator Senter an nounced that he proposed introducing a resolution demanding the disbarment f Attorney J. D. Johnson of St. Louis ttorney of the Waters and Pierce Oil attorney of the Waters and Pierce Oil Company, from practicing in the State. Judge Johnson, he declared, had admitted that he was in a conspiracy to make a false affidavit. "If no action is taken in regard to this infamous deal," declared Senator Senter, "I shall effer a measure to forever exclude the Waters, Pierce Oil Company from Texas

tor Bailey testify further regarding his dealings with the Standard Oil Com-pany and the Frisco Railroad before the investigation should be closed. Sen-ator Senter desired especially that Senator Bailey explain upon what did he predicate his opinion that the Stand-Oil Company was a trust. As to the Frisco Railroad, he desired that Sena-

Pay.
Washington, Feb. 25.—The case of the When United States against William Kirk, er she nor her mother should touch it, and that he would provide them with funds. Whatever had been spent of the money, she declared was for her to money. The building was saved but the furnishings were was decided by the Supreme Court of was decided by the Supreme Court of the guests, but all got out safely.

pes The amount of Gaynor's bond was of \$46,000, and Kirk, who resides at Syracuse, N. Y., was his only surety. When electric wires. Total loss is estimated at \$350,000.

Gaynor failed to appear in the Savannah court in 1902, as pledged by his bond to do, proceedings were begun in

that his property was located in New York and that he had no personal ser-vice. The District Court for the Northern District of New York, and the court of Appeals for the second circuit, took this view, relieving Kirk from responsibility and it was sustained by today's decision, which affirmed the deision of the Court of Appeals by a di-

HARRIMAN ON STAND

Had An Ensy Time As Witness, Lawyer For Prosecution Falling to De-liver the Severe Attack Expected.

master of the Union Pacific system. spent today in recital of portions of the intimate history of the finnacial operations of himself and his associates before the interstate commerce commis-sion which in behalf of the United

proceedings.

By direction of counsel, Mr. Harriman declined to tell what preportion of the preferred stock of the Alton sold to the Union Pacific belonged to him individually and the way was read

opinion that the principals will be bound over at this hearing to await the action of the grand jury at Mobile.

District Attorney John P. Nields of Wilmington, Del., the first man to investigate the operations of the Honduras Lottery Company, will arrive in the city Timesday and will remain until after the trial in April. It is a sum of the More and Indifficient of the Stock securities and liabilities of the Alton, that the Harriman system but after the trial in April. It is a sum of the property of the Millon, that the Harriman system but after the trial in April.

them at an enormous profit, that the syndicate had in the Alton capitalized the losses of former stockholders in the losses of former stockholders in the road and the money which had been spent by the old management for been spent by the old management for betterments over a period of ten years had already been charged to operating expenses; that the books of the com-pany had been doctored and that for an increase of the stock and liabilities from roughly \$40,000,000 to about \$116,-000,000, there were nothing to show but an expenditure of \$22,000,000 in improvements on the property.

improvements on the property.

Mr. Harriman's testimony was a denial of all the charges and toward the close of the afternoon he made an explanation and defense of the entire action which, he contended, was justifled by the conditions and circumstances of the time and which, he asserted had been conducted entirely in the open. Harriman's examination lasted for five hours and it went to the end in good spirit unmarked by acri-mony. The witness through the day declined to be led into an attempt to explain the details of the Alton opera-tions and constantly referred his ques-tioner to the records of the Alton Com-

LUMBERMEN MEET.

Representatives of Two States Get To-

gether in Jacksonville.

Jacksonville, Fla., Feb. 25.—The
Georgia-Florida Lumber Association
met here today, transacted routine business and adjourned to meet in Tif-

ton, Ga., March 12.

This afternoon a joint meeting of the Wholesale Lumber Dealers' Association of New York, New York Lumber Trades Association, Yellow Pine Exporters of New York Lumbermen's Exchange of Philadelphia, Lumber Exchange of Bal-timore, Boston Lumber Trade Association, South Carolina Lumber Association and the Georgia-Florida Lumber Association. A close union of the associations was discussed.

FIGHTING GOING ON.

Three Men and a Mule Killed in Cen-tral America.

New Orleans Feb. 25.—Many reports about the fighting between Honduras and Nicaragua were brought here today by passengers on the steamer An-selm from Puerto Cortez, Honduras,

When the steamer left Puerto Cortez last Thursday night it was reported that a fight had occurred between Nicaraguans and Hondurans in which three men and a mule had been killed. George P. Smith, treasurer of the Planters' Steamship Company, one of the pas-sengers, said that so many of the na-tives of Honduras were preparing for war that there was difficulty in securing labor to cut the bananas which constitute the cargo of the Anselm. The Americans in Honduras, he said, are taking no part in the hostile prep-

arations.

The Honduran gunboat T. A. Tumbia was stationed at Puerto Cortez and there were many rumors that the Nicture was the converted fruit araguan warship, the converted fruit ship Ester, was bound for Puerto Cor-tez to give battle. The garrison at that city have been strengthened and lookouts had been posted.

President Bonilla of Honduras was reported to have taken the field with about 3,000 troops

ALABAMA AT CAPITAL.

A Bank Authorized and a Postmaster

A Bank Authorized and a Postmaster Appointed.

Washington D. C. Feb. 25—(Special)

—The Gadsden National Bank of Gadsden has been authorized to beginbusiness with \$125,000 capital. E. T. Hollingsworth is president, J. W. Hammond Vice President, W. G. Brockway Cachier.

way Cashier. Alabama Postmasters have been ap-pointed as follows: Helicon, Winston County, L. R. Clarke; Kipling, Mobile County Peter J. Rabby; Tysonville, Macon County, Archie C. Harrington; Woodland Mills, Morgan County, Thom-

Rural route No. 1 has been ordered established April 16, at Russellivile, Franklin County, serving 476 people and 119 families. and 119 families.

Rural carriers have been appointed as follows: Florence, Route No. 6, Frink Brown carrier, Jim Lovelace sub-

stitute; Haleyville, Route No. 3, John L. Barber carrier, James A. Chambers MAKE MANY IMPROVEMENTS.

Illinois Central Will Spend Many Mil-

New Orleans, Feb. 25.—Announce-ment of many million dollars' worth of contemplated improvements by the Il-linois Central Railroad was made here today by President J. T. Harahan. He said that the road will immedi-He said that the local state of the said that the local state of \$4,200,000, and in addition, fifty locomotives. He did not say what the locomotives will cost. The cars are to be finished by November next and the engines by October.

President Harahan announced also that the Illinois Central will double-track that part of its system known as the Yazoo and Mississippi Valley Raiload between here and Baton He said that beginning next April the Illinois Central would have an immi-grant steamship running to New Orbut said that he is not at liberty now to give the name of the steamship

ENGINEER KILLED.

Macon. Ga. Feb. 25.-The Georgia Southern and Florida Railroad passen-ger train which left Macon at 12:50 o clock this morning for Jacksonville, Fla. was wrecked about forty-five miles south of here at 2:39 a.m. Engineer Dan Farmer, of Macon, was buried under his locomotive and killed. No passengers were injured. Three bag-gage and express cars and two pas-

senger coaches were burned, but two Pullmans which remained on the track, were saved. The cause of the wreck is supposed to have been a defective Liquor Measure Continued. Washington, Feb. 25.—The Senate Committee on the Judiciary today agreed to pass over until next session of Congress hills relating to interstate traffic in intoxicating liquors, the bill to protect labor against the competition of convict labor and the postoffice fraud order bill. All of these measures have passed the House.

Pension Measure Passed. Washington, Feb. 25.—The Senate today passed the pension appropriation bill, carrying \$145,000,000. The bill was amended so as to make the appropriation available to pay pensions to claimants under the act of February

one more vote in the affirmative than was required.

THEFT FOUND

NUMBER 57.

Sub-Treasury Tapped for Big Amount.

CLUE SECURED TO THIEVES

Loss is Estimated at Over One Hundred Thousand.

Money Was Stolen Nearly a Week Age and Chief of Detectives Wilkle is Working or

Chicago, Feb. 25 .- The Tribune today says:
"One of the largest, if not the largest,

thefts from the United States Treasury has been unearthed in Chicago.

Somewhere between \$175,000 and \$200,000 was stolen from the local subtreasury last week. The money has disappeared as completely as if it had

Chief Wilkie, of the United States Secret Service have been keeping in-formed by telephone and telegraph of every development, and, according t telegraphic advices, he will leave Wash ington today to take personal charge of

Ington today to take personal charge of the investigation.

Secretary Shaw of the Treasury De-partment was told of the gigantic theft when in Chicago last week and was in conference with Sub-Treasurer Wil-liam Boldenweck and secret service of

ago Saturday, the next day or last Menday. The chances are it was ab-stracted on Monday. The loss was dis-

the loss was discovered.

At first it was believed that there must be some error in the book-keeping. It was thought to be impossible

Every man who could have had any-thing to do with the case was called into Treasurer Boldenweck's office and put through an exhaustive examination and a still more rigid cross examina-tion. Captain Porter, of the secret service, assisted in the inquisition. They stood the ordeal, every one of them. All denied any knowledge of the theft and protested their innocence,

by some outsider.

Day by day since the sweating has tain Porter and his assistants have worked from day light till dark and from night until morning. All of yes-

Saturday there came a glimmer of light. A faint clue pointed in the di-rection of a certain clerk and that followed up, directed the finger of suspicion to another employe, a close as-sociate of the first men.

These men were summoned into the inquisition chamber separately and sub-jected to a grueling examination. The tion and punishment was tion and punishment was impressed upon them and they were advised to make a clean breast of whatever part they had played in the conspiracy. One, thought to be the moving spirit, came through the ordeal without turning a hair. He remained calm and self-possessed. His sang froid amnzed the officers and they put him down as innoficers and they put him down as inno-cent or a master hand of criminality.

Every employe of the office is under

once got in to the vault has been regarded as an impossibility.

When interviewed today in regard to the robbers, Sub-Treasurer Bolden-week admitted that a theft of \$173,000 had been perpetrated, but refused to go into details

gigantic steal has been perpetrated in the sub-treasury, he said. "The amount I believe will be \$173,000. At present I cannot go into detail. Government officials believe present I cannot go into details as to what work we have done in the case or what method of procedure Chief Wilkie, Capiain Porter and their lieutenanats will pursue. We discovered the shortage last Wednesday when the books of the sub-treasury were bal-anced for the day. There is a possi-bility that the shortage is due to an error of a bookkeeper, but I am in-clined to believe that a robbery has

nitely determined just where the shortage occurred, but he declined to say to where it had been traced. He declared himself positive, however, that the money had never reached the vaults.

CLAVERING GUNTER

to Author of "Mr Barnes of New York,"

Ratify Domingo Treaty.

Washington, Feb. 25.—By a vote of 45 to 19, the Senate tonight ratified the Santo Domingo treaty. This was one more vote in the affirmative tian was required.

ter, Reid, Strother, Teasley, Tomas White and Wimberly-15.

White and Wimberly—15.

Talkes Judicial Legislat!

Before the vote was taker Senator Reynolds read a telegram for C. W. Asheraft, a leading con goods manufacturer of Florence, aying that if the exemption bill passed, there was a fine opportunity of securing several new cotton mill enterprises in North

new cotton mill enterprises in North

The Senate was busy throughout the

afternoon with judicial legislation. The Senate followed up its defeat of the Lusk judicial bill regulating the judicial circuits of the State by defeating the bill to establish a judicial commission.

sion to sit during the recess. An or-ganized attempt was made to substi-tute a Commission named by the Leg-

islature for the proposed Commission to be named by the Governor. This question was debated at length. Sen-ator Leith was the principal speaker against the whole proposition. He had

some fun with the proposed Judicial Commission, describing them with "their feet on their desks, drawing \$10

a day smoking good cigars, drinking hot toddles and spitting red, at the ex-

Senator Forrester, who always at-racts attention when he gets up to

speak, and who always wraps up some

common sense in the words he utters, also gave the Senate a good laugh when he tilted against the proposition, because, as he explained it, "Every lawyer in the senate of the senate of

lawyer in the Senate has a different

idea of what ought to be done. And when the lawyers disagree, we fellows

certainly can't say what is right."

The substitute providing for a Legislative Commission, however, was adopted. Its author was Senator Gunn. Before the bill could be passed or rejected, Senator Thomas strongly op-

posed the substitute with a constitu-tional point of order. He cited the sec-

tion of the Constitution, which declares

no member of the Legislature shall ac-cept an office of profit or trust created

by the Legislature of which he was a member. He declared the substitute provided for the creation of offices

which paid \$10 a day and that the Sen-ate evidently intended to have those

offices filled by men who were members

of the Legislature and who were vot-ing on the proposition. In his opinion, any such action would be taken in vio-

lation of the letter and spirit of the Costitution.

Senator Spragins solved the whole question by moving to indefinitely post-pone the pending bill and all amend-

A second bill of Senator Lusk's which amended a number of sections of the

Code, and which, to a considerable ex-tent, rearranged the judicial circuits of

the State, was passed a few minutes la-ter. The bill established the Four-teenth or the Walker County Circuit,

and the "Poncy Circuit," or the Mont-gomery County Circuit as previously established by special bills already passed. The bill also created the Six-teenth Circuit to be composed of the counties of Etowah, Blount and St. Clair. The bill also moved Houston

Clair. The bill size moved Houston County from the Twelfth to the Third Circuit. The bill was opposed by Senator E. Wilson, who is from Blount County, one of the counties changed by the bill, but it was passed with votes to spare being the most important build.

spare, being the most important judi-cial legislation passed by the Senate.

Senator Heacock yesterday succeeded in killing the Sylacauga branch court bill, a local measure which has

attracted considerable attention. Sen-

Before the roll could be called for the introduction of bills, the Senate went across the hall to participate in the joint session with the House in the

election of an Associate Judge of the

ing the insurance laws of the State, was

The bill to make the usual appropria-

favorably reported from the Committee

tions for the encampment of the Ala-bama National Guard was favorably

reported by the Committee on Milita-

perintendent of Education. This, the message explained, had been responsi-ble for the delay in sending in the nam. Mr. Johnson was immediately confirmed as a trustee of the Universi-

Pass Automobile Bill. The Blackmon automobile bill was the first measure taken up for a third reading. The original bill was consid-

stitute for the original bill was offered by Senator Thomas, which ran closely

along the lines of the present law. It makes a misdemeanor for an automobil-ist to continue on his way past a frightened horse or mule, if he discov-

ers the frightened animal, or if the owner signals him to step. The sub-stitute provided further that the auto-

mobilist must shut off his current or motive power while his car is station

A strong fight has centered around this bill since its introduction by Rep-resentative Sanford who lives at Syl-

ered too drastic by the Senate

on Banking and Insurance

e general insurance bills extend-

ments, which was done

pense of the State.'

AGAINST THAW

Sensation.

Jerome is Less Merci-

to identify a photographic copy of the affidavit Evelyn Nesbitt is alleged to have signed and which charges Thaw with many cruelties during their 1903 trip to Europe. The District Attorney got the contents of the affidavit before

questions, and asking Mrs. Thaw if she told such things to Mr. Hummel.
In each instance, she declared she

Barrymore.
"Call Dr. Flint," commanded Mr.

The witness seemed just a bit startled, looked quickly and intently at the physician, then turned to Mr. Jerome and shook her head.

"Never," she declared. Thaw was intensely interested in

"That man made a mistake in coming here. He stood there a liar. Do you catch the point—a liar?"

Mrs. Thaw was in much better spirits today and looked decidedry better physically than she did last week. She

Washington, D. C., Feb. 25 -- (Spe-

The Senate then took up the cotton mill exemption bill, and after the final vote on it a recess for dimer was taken.

Sylacauga Loses Fight.

When the afternoon session began, Senator Reynolds moved that House bill No. 224, the solvent credits bill, the subgraph of S. S. Pleasants of Huntsville for of S. S. Pleasants of Huntsville for armbrecht the principal sing guilty. Considered to the president.

Former United States District Attorney W. S. Reese of Montgomery arrived today. He favors the nomination of S. S. Pleasants of Huntsville for Armbrecht the principal sing guilty.

Solomon Ordonez, the Hondurean Minister of War, at the head of a strong Army, was captured by Nicaraguan forces at 4 o'clock this afternoon.

ccurred today.
The six-story structure at 819 Lib-

In addition the blaze wrecked the

was save to the control of the control of the Court of the United States today ravorably to Kirk.

Was decided by the Supreme Court of the United States today ravorably to Kirk.

The amount of Gaynor's bond was and thrilling incidents. The cause of \$40,000, and Kirk, who resides at Syra-

READY TO TESTIFY FIVE MOBILE WITNESSES REACH

Boston Mass, Feb. 25.—(Special.)-Five witnesses from Mobile, Ala., sum

as he has been at Harvard University for several days, Mr. Hoosevelt and Benjamin McElroy, arrested Janubas not had a chance to consider the measure, but the general understanding is that he will approve it topossory. shipped by express.

Company Lawyer.

the Subject of Fight.

At 11 o'clock the anti-Bailey follow

this time but to send a sub-commit-tee to St. Louis to secure the testi-mony of H. Clay Pierce of the Waters-Pierce Oil Company and to embody such evidence in its final report. Adherents of Senator Bailey prompt-ly offered a substitute that the inves-tigating committee be discharged at once without making a report and that Senator Bailey be fully endorsed. Af-

of its publicity in the daily press of the country and members of the Senate could vote now on the question with intelligence.

The most sensational feature of the

offer a measure to forever exclude the Waters-Pierce Oil Company from Texas and another to exclude J. D. Johnson from the courts of this State, as his very presence is an insult to the sacred ermine of the judiciary."

Senator Senter also urged that Senator Balley testify further regarding his

that court to collect on the bond.

Kirk resisted payment on the ground that he was not a resident of Georgia;

GREAT RAILROAD MAGNATE BE-

Nw York, Reb. 25-E. H. Harriman Georgia Southern Train Goes Down In-

known as the service pension

vanished from the face of the earth.

The authorities here and in Washington have been working night and day on the robbery since it was dis-

The money was stolen either a week

stracted on Monday. The loss was discovered on Tuesday.

All the money taken was in large bills, bills of the denomination of \$1,000,\$5,000 and \$10,000.

Just who discovered the loss the subtreasury would not admit last night. Neither would they tell from which department the money was taken nor how the loss was discovered.

that such a large sum of money could have been abstracted in face of all the safeguards thrown around Uncle Sam's Rigid Examination

But it was perfectly obvious that some one was lying. The chances were one thousand to one that one or more of the employees actually had purioined the cash or had connived at the theft

terday, too investigation proceeded in Mr. Boldenweck's private office.

suspicious circumstances against them were paraded, the certainty of detec-

The other, younger and much weaker, showed signs of breaking down.

Just what he admitted, the secret service men refuse to disclose, but it is believed to be tantamount to a confessurveillance day and night, and should one or more of them prove to be the possible. All have reported for work possible. All the discovery was made. Every man, too, is under bond, but not to any amount near the loot secured.

The huge vault of the sub-treasury is constructed of many layers of chilled and the sub-treasury is constructed of many layers of doors which steel and has a number of doors which must be passed before entrance is se-cured to the apartment containing the money. The theft of money which had

"It is true that what I and other

een committed." Sub-Treasurer Boldenweck declared

New York, Feb. 25-Archibald Clav-